

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA ADAM SHUEMAKE,

Defendant.

CASE NO. 2:21-cr-00194-RAJ

ORDER CONTINUING
TRIAL DATE

THIS MATTER comes before the Court upon the United States' Unopposed Motion to Continue Trial Date. After considering the motion, and the files and pleadings in this matter, and being fully advised, the Court hereby FINDS as follows:

1. For the reasons set forth in the government's motion, the failure to grant a trial continuance would unreasonably deny counsel for the Defendant and the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).
2. In setting a new trial date, and in addition to the factors set forth above, the Court has considered the unavailability of government counsel due to trials scheduled on June 7, 2022, and July 18, 2022, which are older, complex cases whose scheduling has been significantly affected by both the COVID-19 pandemic and their complexity. These cases require specialized knowledge of the evidence such that

1 substituting government counsel would substantially undermine the government's
2 ability to proceed to trial in those matters. Similarly, this case also requires
3 specialized knowledge of the evidence such that substituting government counsel
4 would substantially undermine the government's ability to proceed to trial in this
5 matter.
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- 7 3. The proposed trial date of September 12, 2022, further accounts for the
8 unavailability of defense counsel for an earlier trial date due to prescheduled trials
9 and personal matters.
- 10 4. In light of these scheduling conflicts, and considering the complexity of this
11 investigation and the specialized knowledge of the evidence required to bring this
12 case to trial, setting a trial date before September 12, 2022, would unreasonably
13 deny the defendant and the government continuity of counsel. *See* 18 U.S.C. §
14 3161(h)(7)(B)(iv).
- 15 5. The Court also has considered the fact that Defendant consents to this continuance
16 and filed a waiver of his right to speedy trial, agreeing to waive that right through
17 September 26, 2022.
- 18 6. For the foregoing reasons, the ends of justice served by granting a trial
19 continuance outweigh the best interests of the public and the defendant in a
20 speedier trial.
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22 IT IS THEREFORE ORDERED that the government's Unopposed Motion to
23 Continue Trial Date (Dkt. 18) is GRANTED. The trial date in this matter is continued to
24 September 12, 2022.

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1 IT IS FURTHER ORDERED that the period of time from entry of this order, up to
2 and including the new trial date of September 12, 2022, shall be excludable time pursuant to
3 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv).
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5 DATED this 5th day of May, 2022.
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9 The Honorable Richard A. Jones
10 United States District Judge
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